

REMARKS

Applicants appreciate the thorough examination provided in the final Office Action mailed March 31, 2006 (hereinafter "Office Action"), the allowance of Claims 1, 4-11, 13, and 15-17, and the indication that Claims 45-47 recite patentable subject matter. Applicants respectfully request reconsideration and withdrawal of the rejections of 40-44 and 48-50 for at least the reasons discussed below.

Independent Claim 40 stands rejected as allegedly anticipated by Korean Patent Publication No. 102001006328 (hereinafter '328 publication). In particular, Claim 40 recites:

A semiconductor device comprising:
a semiconductor substrate having a recess therein;
a gate electrode comprising a first portion in the recess and a second reduced-width portion extending from the first portion;
a source/drain region disposed in the substrate and *spaced apart from the recess*; and
a substantially uniform gate insulator layer lining the recess and interposed between the first portion of the gate electrode and a portion of the substrate between the recess and the source/drain region.

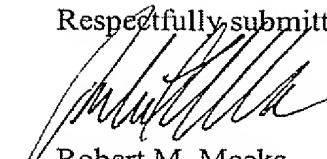
The Office Action asserts that the LDD region 30 of Fig. 1c of the '328 publication corresponds to the recited source/drain region. However, as can be seen in Fig. 1c, the LDD region 30 extends all the way to the recess in which the gate insulation layer 24 and the gate electrode 26' are formed. Therefore, the '328 publication does not teach or suggest, among other things, "a source/drain region disposed in the substrate and *spaced apart from the recess*" as recited in Claim 40.

For at least these reasons, Applicants submit that Claim 40 is patentable over the '328 publication, and further submit that dependent Claims 41-50 are patentable at least by virtue of the patentability of Claim 40 from which they depend. Applicants, therefore, request reconsideration and withdrawal of the rejections of Claims 40-44 and 48-50.

As all of the claims are in condition for allowance, Applicants request allowance of the claims and passing of the application to issue in due course. Applicants encourage the Examiner to resolve any outstanding issues by contacting the undersigned by telephone.

In re: Kim et al.
Serial No.: 10/738,316
Filed: December 17, 2003
Page 8

Respectfully submitted,

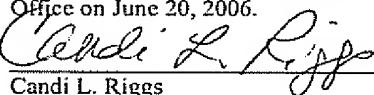


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